

REMARKS***Summary of the Amendment***

Upon entry of the above amendment, claims 6 and 14 will have been amended and new claims 19 - 22 will have been entered for consideration by the Examiner. Accordingly, claims 1 - 22 currently remain pending.

Summary of the Decision by the Board of Patent Appeals and Interferences

In the Board's decision, the Examiner's formal rejections of claims 6 and 14 were affirmed. Accordingly, by the present amendment and remarks, Applicants submit that the rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Claims 6 and 14 are Allowable

Applicants note that claims 6 and 14 have been amended to even more clearly recite the subject matter that the inventors regard as their invention. Therefore, claim 6 has been amended to even more clearly define the arrangement of the first torque limiter by utilizing terminology that more closely corresponds to that used in the specification. Further, new claims 19 and 20 further define this arrangement.

Applicants note that claim 14 has been amended to more clearly recite the flat output element utilizing the terminology in the first full paragraph on page 10 of the disclosure, i.e., an element in which the bolt axis (or axis of the element being driven) does not coincide with

the output tool shaft.

Accordingly, Applicants submit that claims 6 and 14 are now fully in compliance with the requirements of 35 U.S.C. § 112, and request that the Examiner acknowledge the same in the next official communication. Moreover, by the present amendment, Applicants intend to clarify certain features of claims 6 and 14 without narrowing the scope of the claims. Thus, Applicants submit that no estoppel should be deemed to attach.

Applicants also note that new claims 21 and 22 are allowable in that the art of record fails to show a torque wrench in which a shaft is driven by both a motor drive and a ratchet drive. Accordingly, Applicants request that the Examiner consider the merits of the newly submitted claims and indicate that these claims are allowable.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

The undersigned authorizes the charging of any necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, to Deposit Account No. 19 - 0089 in order to maintain pendency

of this application.

CONCLUSION

In view of the foregoing, it is submitted that each of claims 1 - 22 are allowable. In particular, the claims have been amended to eliminate any arguable basis for rejection under 35 U.S.C. § 112, and each claim is patentable over the art of record.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
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